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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/686,751	10/16/2003	Michael R. Furst	A2484K-US-NP XERZ 2 01274	8683
62095 7590 02/17/2010 FAY SHARPE / XEROX - ROCHESTER 1228 EUCLID AVENUE, 5TH FLOOR THE HALLE BUILDING CLEVELAND, OH 44115			EXAMINER ESKANDARNIA, ARVIN	
			ART UNIT 2448	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/686,751	Applicant(s) FURST ET AL.	
	Examiner ARVIN ESKANDARNIA	Art Unit 2448	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 November 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 26-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 26-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/24/2009</u> . | 6) <input type="checkbox"/> Other: _____ |

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Response to Amendment

This communication is responsive to the arguments filed on November 6, 2009.

Information Disclosure Statement filed on November 24, 2009 has been considered by the examiner.

Claims 26-44 are pending.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 26-30, 32-35, 36-40, and 42-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldstein US Publication No. 2004/0015559 A1.

As per claim 26, Goldstein discloses:

- *A system for remotely supporting a family of products even when the products are deployed in the field, the system comprising:*
 - *at least one respective unit (110) of a first product of the family of products, (Goldstein, Fig. 1, Ref. 15) where a electrical device or the unit as claimed is provided;*
 - *an interchangeable device model (122, 123) for the first product selected from a family of device models wherein each member of the family of device models includes at least identifications of classes of information that can be communicated to and/or from the each of the products of the family of products and mappings indicating how the classes of information can be communicated to and/or from the first product, (Goldstein, Paragraph [0033], Lines 1-5 and 17-24) where the information about the client's device or the apparatus is provided to the representative for purpose of identification. Also based on product identifier transmitted from the apparatus, the router is configured to ensure the message from the apparatus routed or mapped as claimed to a terminal;*
 - *at least one respective device model agent (120) that is operative to read the interchangeable device model and access information in the at least one respective unit and to provide information to the at least one respective unit according to the interchangeable device model and to communicate with at*

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least one other element of the system regarding the at least one unit over at least one communications link according to terms, parameters, structures or protocols that are common to products of the family of products, regarding at least one of unit configuration parameters, unit status information, available upgrade information, selected upgrade information, selected downgrade information, available update information, requested update information, an error message, and service request information, (Goldstein,

Fig. 4, Ref. 107) where the step of providing the customer service representative with information necessary to diagnose user's problem is provided. Which the said information may be the unit configuration parameters, unit status information, available upgrade information, selected upgrade information, selected downgrade information, available update information, requested update information, an error message, and service request information as claimed;

- *a services host server (310) that is operative to exchange information with the at least one respective device model agent over the at least one communications link, the exchanged information including at least one of: the unit configuration parameters, the unit status information, the available upgrade information, the selected the upgrade information, the selected downgrade information, the available update information, the requested update information, the error message, and the service request information,*

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(Goldstein, Fig. 1, Ref. 55 and paragraph [0033], Lines 1-5) where the customer service system is provided which can be the services host server as claimed. Also the information necessary for the server to identify the client's device such as the model number or other information that may be the unit configuration parameters, the unit status information, the available upgrade information, the selected the upgrade information, the selected downgrade information, the available update information, the requested update information, the error message, and the service request information as claimed is provided.

As per claim 27, claim 26 is incorporated and further Goldstein discloses:

- *at least one respective second unit (110) of a second product of the family of products, (Goldstein, Fig. 1, Ref. 15);*
- *a second interchangeable device model (122) for the second product selected from the family of device models wherein the second interchangeable device model includes mappings indicating how the classes of information can be communicated to and/or from the second product, (Goldstein, Paragraph [0033], 17-24);*

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- *at least one respective copy of the device model agent (120) that is operative to read the second interchangeable device model and access information in the at least one second respective unit of the second product and to provide information to the at least one respective unit of a second product according to the second interchangeable device model and to communicate with the services host regarding the at least one unit over at least one communications link according to the terms, parameters, structures or protocols that are common to products of the family of products, regarding at least one of second unit configuration parameters, second unit status information, available second unit upgrade information, selected second unit upgrade information, selected second unit downgrade information, available second unit update information, requested second unit update information, an error message regarding the second unit, and service request information regarding the second unit, (Goldstein, Fig. 1, Ref. 55 and paragraph [0033], Lines 1-5) where the customer service system is provided which can be the services host server as claimed. Also the information necessary for the server to identify the client's device such as the model number or other information that may be the unit configuration parameters, the unit status information, the available upgrade information, the selected the upgrade information, the selected downgrade information, the available*

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update information, the requested update information, the error message, and the service request information as claimed is provided.

As per claim 28, claim 26 is incorporated and further Goldstein discloses:

- *at least one services provider (300) that is operative to exchange information with the services host server over at least one communications link and to provide at least one of: updated software, software upgrades, billing services, maintenance services and repair services for the at least unit according to at least one of: the unit status information, the selected upgrade information, the requested update information, the error message and the service request information received from the at least one unit, (Goldstein, Fig. 4, Ref. 107 and Paragraph [0033], Lines 1-5).*

As per claim 29, claim 26 is incorporated and further Goldstein discloses:

- *the at least one respective device model agent is at least one of: implemented as a process included in the at least one respective unit and implemented within a physical add-on module (115) that is connected to the respective at least one unit, (Goldstein, Fig. 2, Ref. 25 & 32).*

As per claim 30, claim 26 is incorporated and further Goldstein discloses:

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- *an application server (200, 310, 320) that is operative to receive application software modules from at least one services provider and make the software application modules available for transmission to and installation in the at least one respective device model agent for performing new services in conjunction with the at least one respective unit, (Goldstein, Paragraphs [0016], Lines 4-9 and [0019]).*

As per claim 32, claim 30 is incorporated and further Goldstein discloses:

- *at least on of: the respective at least one unit, the services host server and the application server further comprise: an application programming interface (130, 230, 330) that is operative to determine which means of communications are available to the application programming interface, to select one or more communication means from the available communications means for communicating with at least one other system element, and to communicate with the at least one other system element according to one or more protocol that is appropriate to the one or more selected communications means, (Goldstein, Paragraph [0028], Lines 16-20).*

As per claim 33, claim 30 is incorporated and further Goldstein discloses:

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- *the application programming interface supports communication via at least HTTP, HTTPS, JMS, email, 10BaseT, 100BaseT, 10Base2, Modem, IEEE 802.11X, and Bluetooth, protocols, (Goldstein, Paragraph [0041], Lines 4-5).*

As per claim 34, claim 26 is incorporated and further Goldstein discloses:

- *the device model agent is further operative to at least one of: add a new service received from an applications server to the device model agent, start a service running and stop a service, (Goldstein, Paragraph [0047], Lines 5-10).*

As per claim 34, claim 26 is incorporated and further Goldstein discloses:

- *the at least one respective unit comprises: an image processing device, (Goldstein, Fig. 2, Ref. 32).*

Claims 36-40 and 42-44 are system claims corresponding to system claims 26-34 respectively and are rejected under the same reason set forth as the rejection of claims 26-34 above.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 31 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldstein US Publication No. 2004/0015559 A1 in view of Freed et al. US Publication No. 20030014650 A1.

As per claims 31 and 41, Goldstein does not specifically disclose:

- ***at least one of the at least one respective device model agent is at least one of: implemented as a device proxy (210) and implemented in a device proxy within in the applications server.***

However, Freed discloses:

- ***at least one of the at least one respective device model agent is at least one of: implemented as a device proxy (210) and implemented in a device proxy within in the applications server,*** (Freed, paragraph [0042], Lines 2-6) where the SSL device acts as a proxy for one or more servers and the client recognizes the device as the server.
- Therefore, it would have been obvious to one of the ordinary skilled in the art at the time that the invention was made to incorporate the teaching of Freed into the teaching of Goldstein and one of the ordinary skilled in the art would be

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motivated to be able to configure a device to act as a proxy or the client can recognize the device as the server.

Response to Arguments

3. Applicant's arguments filed November 6, 2009 have been fully considered but they are not persuasive.

Regarding the argument about unavailability of Khemani as a secondary reference, the examiner submits that this prior art was mistakenly chosen and therefore it has been removed from the prior art rejections. However, a new secondary prior art reference has been used that applies only to the dependent claims 31 and 41. Therefore, claims 26-30, 32-40 and 42-44 are rejected under 35 U.S.C 102(e) to Goldstein and claims 31 and 41 are rejected under 35 U.S.C. 103(a) to Goldstein in view of Freed.

Regarding the applicant's argument that Goldstein does not disclose the interchangeable device model, the examiner respectfully discloses that figure 1 of Goldstein's disclosure shows a memory that contains the information about the products that is the Product Identifier List (Fig. 1, Ref. 91 and 93). Interchangeable device model as described by the applicants is responsible to read and use the information from the device model. That is to figure out the exact model of the device that is subject to be provided with service. The Routing device 85 of Goldstein is responsible to communicate with customer service terminals 52a-52e and other computer units 15 across the network 42. As mentioned before the Product Identifier List contains information about products

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or the computer units connected across the network 42. The routing device upon accepting the request from the computer unit 15, looks up the information about the unit and forwards the request to an appropriate Service terminal. This is also what the interchangeable device model of the current application is designed to do. The Routing device 85 in this case is the device model agent that read the interchangeable device model.

The examiner respectfully submits that even though the Customer Service Representative is not a product, he or she is working on a computer system or unit that is a product.

Regarding the limitation of "... mappings indicating how the classes of information can be communicated to and/or from the first product" the examiner respectfully submits that mappings that would indicate how the classes of information can be communicated, is done by the routing device of Goldstein. This routing device is responsible for communication between client and servers or the family of products as mentioned in the claims.

Regarding the argument on the limitation of claim 26 that recites "regarding at least one of unit configuration parameters, unit status information, available upgrade information, selected upgrade information, selected downgrade information, available update information, requested update information, an error message, and service request information", the examiner respectfully submits that the claim language suggests that at information regarding least one of unit configuration parameters, unit status information, available upgrade information, selected upgrade information, selected downgrade

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information, available update information, requested update information, an error message, and service request information, is to be provided. Therefore, there would be unnecessary for the prior art reference to disclose every one of different kind of information as mentioned in the claim. Goldstein discloses the step of providing the customer service representative with information necessary to diagnose user's problem. (As mentioned before the customer service representative is using a computer system or unit that obtains the necessary information about the products that requesting service). The said information may at least be the device status information or the error message if not all. This also applies to the arguments regarding the limitations of claims 27 and 28.

Regarding the argument on claim 29, the examiner respectfully submits that claim language recites that the device module agent is at least one of implemented as a process included in the at least one respective unit and implemented within a physical add-on module that is connected to the respective at least one unit. In other word the device model agent is either implemented as a process in a unit or implemented as a physical unit connected to the unit. Therefore the examiner as mentioned before submits that the routing device 85 is the physical component that is connected to the unit across the network.

Regarding the argument on the rejection of claim 30 the examiner respectfully submits that Goldstein in (paragraph [0016] and [0019]) discloses where the route analysis and correction of software issue incorporate installing a fix or patch or upgrade for the system across the network.

Regarding the arguments on the rejection of dependent claims 31 and 41, the examiner respectfully submits that the SSL as mentioned in Freed reference is acting like a proxy for the servers in the network. The Secure Socket layer is connected to between a client and server that can be the device model agent as mentioned in claims.

Regarding the argument on rejection of claim 32, the examiner respectfully submits that (Goldstein, Paragraph [0028], lines 16-20) discloses that the terminals include communication interface that can be modem or other type of conventional transmitter or receiver that would allow terminals to exchange data with the network. It is also mentioned that the communication interface may be wireless or wired.

Regarding the argument on claim 33, the examiner respectfully submits that even though Goldstein does not specifically disclose HTTP, HTTPS, JSM, email, 10BaseT, 100BaseT, 10Base2, Modem, IEEE 802.11X, Bluetooth, protocols, however, Goldstein does disclose (Paragraph [0022], Lines 15-23) that the communication interface can be modem. The modem as one of the ordinary skilled in the art would understand would communicate with the network through an Ethernet cable that may be the 10BaseT, 100BaseT, 10Base2 as mentioned in the claim. Also this portion of Goldstein's reference suggests that the interface can be wireless that can be the IEEE 802.11X or the interface can be cellular phone that inherently can include Bluetooth. Also the use of protocol and IP is mentioned in paragraph [0014].

Regarding the argument on claim 34, the examiner submits that Goldstein also discloses that customer service terminal diagnoses and corrects operational errors or

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problems with apparatus that can incorporate installing a new software or program into the apparatus of the client device. (Goldstein, Paragraph [0016] and [0019]).

Claims 36-44 are system claims corresponding to the system claims 26-35 and are rejected under the same reason set forth as the rejection of claims 26-35 above.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ARVIN ESKANDARNIA whose telephone number is (571) 270-3205. The examiner can normally be reached on Monday - Thursday, 8:00AM-6:00PM (EST),.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Firmin Backer can be reached on (571) 272-6703. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ARVIN ESKANDARNIA/

Examiner, Art Unit 2448

Date: February 17, 2010

/FIRMIN BACKER/

Supervisory Patent Examiner, Art Unit 2448